

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KENNETH RAY FOY,
Plaintiff,
v.
KING COUNTY, et al.,
Defendant

CASE NO. 2:23-CV-137-BJR-DWC
ORDER DIRECTING PLAINTIFF
TO UPDATE ADDRESS

The District Court has referred this action filed under 42 U.S.C. § 1983 to United States Magistrate Judge David W. Christel. On September 18, 2023, the Clerk of the Court mailed the Order Denying Motion to Dismiss Without Prejudice to Plaintiff Kenneth Ray Foy. *See* Dkt. 20. The Order was returned as undeliverable on October 2, 2023. Dkt. 23.

A party proceeding *pro se* shall keep the Court and opposing parties advised as to his or her current mailing address. Local Rules, W.D. Wash. LCR 41(b)(2). If mail directed to a *pro se* plaintiff by the Clerk is returned by the Postal Service, and if such plaintiff fails to notify the Court and opposing parties within 60 days thereafter of his or her current mailing address, the Court may dismiss the action without prejudice for failure to prosecute. *Id.*

1 If Plaintiff fails to notify the Court of his current mailing address by **December 1, 2023**,
2 the undersigned will recommend dismissal of this action without prejudice.

3 The Clerk is directed to send a copy of this Order to Plaintiff's last known address and to
4 the Washington Corrections Center (DOC # 339405).¹

5 Dated this 6th day of October, 2023.

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8 David W. Christel
9 Chief United States Magistrate Judge
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22 ¹ The Court notes there is a pending Motion to Dismiss. Dkt. 21. Defendant served the Motion to Dismiss
23 on Plaintiff at his last known address (the King County Regional Justice Center) and at the Washington Corrections
24 Center, where Defendant's counsel believes Plaintiff is currently located. At this time, the Court will not re-note the
Motion to Dismiss as the Motion was potentially served on Plaintiff at his current address. However, the Court may
re-note the Motion to Dismiss if this Order is returned.